

square inch and its label failed to bear a statement that it fell below such standard.

DISPOSITION: 6-1-65. Default—destruction.

30281. Canned tomatoes. (F.D.C. No. 51002. S. No. 135-435 A.)

QUANTITY: 550 cases, each containing 24 1-lb. cans, at Greenville, S.C.

SHIPPED: 10-5-64, from Federalsburg, Md., by Albert W. Sisk & Son.

LABEL IN PART: (Can) "Wright's Tomatoes * * * Packed in U.S.A. By John N. Wright, Jr., Inc. Federalsburg, Md."

LIBELED: 2-2-65, W. Dist. S.C.

CHARGE: 403(h)(1)—when shipped, the article fell below the standard of quality for canned tomatoes, since the article contained tomato peel per pound of canned tomatoes in the container, which covered an area of more than 1 square inch and its label failed to bear a statement that it fell below such standard.

DISPOSITION: 5-4-65. Consent—claimed by Albert W. Sisk & Son and John N. Wright, Jr., Inc.; 63 cases were ordered to be delivered to a charitable institution; remainder released to the claimant.

30282. Canned tomatoes. (F.D.C. No. 51271. S. No. 58-207 B.)

QUANTITY: 278 cases, each containing 24 1-lb. cans, at East Point, Ga.

SHIPPED: 3-10-65, from Preston, Md., by Albert W. Sisk & Son.

LABEL IN PART: (Can) "Red Glo * * * Peeled Tomatoes * * * Albert W. Sisk and Son Distributors * * * Main Office Preston, Md. Sales Office Aberdeen, Md."

RESULTS OF INVESTIGATION: Inspection of the packer, Dade Farms, Inc., Princeton, Fla., showed that the article was prepared and packed under insanitary conditions.

LIBELED: 4-19-65, N. Dist. Ga.

CHARGE: 402(a)(3)—contained fly eggs and maggots; and 402(a)(4)—prepared and packed under insanitary conditions.

DISPOSITION: 5-26-65. Default—destruction.

30283. Canned tomatoes. (F.D.C. No. 51175. S. No. 34-988 B.)

QUANTITY: 106 cases, each containing 24 1-lb. cans, at South Bend, Ind.

SHIPPED: 1-25-65, from San Francisco, Calif., by Tri-Valley Growers.

LABEL IN PART: (Can) "Plee-Zing California Tomatoes * * * Packed by Tri-Valley Growers San Francisco California."

LIBELED: 4-28-65, N. Dist. Ind.

CHARGE: 403(h)(1)—when shipped, the quality of the article fell below the standard of quality for canned tomatoes since it contained tomato peel per pound of tomatoes in the cans which covered an area of more than 1 square inch and its label failed to bear a statement that it fell below such standard.

DISPOSITION: 6-23-65. Default—delivered to a charitable institution.

30284. Tomato sauce. (F.D.C. No. 50868. S. Nos. 111-866/72 A.)

QUANTITY: 6,708 cases, each containing 72 8-oz. unlabeled cans, at Anthony, Tex., in possession of Mountain Pass Canning Co.

SHIPPED: The article was prepared and packed by the dealer from raw tomatoes shipped between 9-28-64 and 10-4-64, by various growers from the State of New Mexico.

LABEL IN PART: (Case) "Buffett * * * Mountain Pass Tomato Sauce Mountain Pass Canning Co., Anthony, Texas."

LIBELED: 12-4-64, W. Dist. Tex.

CHARGE: 402(a) (3)—contained decomposed tomatoes while held for sale.

DISPOSITION: 6-24-65. Consent—destruction.

MEAT PRODUCTS AND POULTRY

30285. Chili Con Carne without beans. (F.D.C. No. 50726. S. No. 93-659 A.)

QUANTITY: 66 cases, each containing 12 1-lb. 8-oz. cans, at Russellville, Ark.

SHIPPED: 5-8-62, from Indianapolis, Ind.

RESULTS OF INVESTIGATION: Examination showed that the article was undergoing chemical decomposition.

LIBELED: 10-23-64, E. Dist. Ark.

CHARGE: 402(a) (3)—contained a decomposed substance while held for sale.

DISPOSITION: 11-20-64. Default—delivered to a public institution to be denatured for use as animal feed.

30286. Frozen chickens. (F.D.C. No. 51434. S. Nos. 35-724/5 B.)

QUANTITY: 321 crates and 5 unlabeled crates, each containing approximately 65 lbs. of whole, cut-up, or parts of chickens, at Cleveland, Ohio.

SHIPPED: 5-18-65, from Minneapolis, Minn. This was a return shipment.

LABEL IN PART: (Crate) "Sunnyboy * * * Light Fowl * * * Braman Poultry, Inc. * * * Cleveland, Ohio."

LIBELED: 6-17-65, N. Dist. Ohio.

CHARGE: 402(a) (3)—contained decomposed chicken when shipped.

DISPOSITION: 7-12-65. Default—destruction.

30287. Canned chicken broth. (F.D.C. No. 50254. S. Nos. 98-096/8 A.)

QUANTITY: 440 cases, each containing 24 cans, at San Francisco, Calif.

SHIPPED: 4-20-62, from Augusta, Ill., by Dennis Chicken Products Co.

LABEL IN PART: (Can) "Monarch Chicken Broth * * * Net Contents 13¾ fl. oz., 14½ oz. avoirdupois. Packed for Consolidated Foods Corporation Distributors Chicago, Illinois."

RESULTS OF INVESTIGATION: Examination showed that the article was between 1.1 percent and 12.6 percent short weight. Examination also showed that the article was between 2.2 percent and 12.5 percent short volume.

LIBELED: 7-17-64, N. Dist. Calif.

CHARGE: 403(e) (2)—when shipped, the article failed to bear a label containing an accurate statement of quantity of contents since the label statement "Net Contents 13¾ Fl. Oz.—14½ Oz. Avoirdupois" was inaccurate.

DISPOSITION: 9-10-64. Consent—claimed by Dennis Chicken Products Co., for relabeling.